**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Writ Petition No.746 of 2006 (M/B)**

Satyender Singh Negi,
S/o Dayal Singh Negi,
R/o Village & Post Berani, Patti Kujarni,
District Tehri Garhwal, Uttaranchal. ……. Petitioner

Versus

1. District Magistrate,
   Tehri Garhwal.
2. District Education Officer,
   Narender Nagar, Tehri Garhwal.
3. Principal,
   Government Inter College, Bairani,
   District Their Garhwal.
4. Junior Engineer,
   Block Development Officer, Phakot,
   District Their Garhwal.
5. Maher Singh Rawat,
   R/o Village & Post Berani, Patti Kujarni,
   District Their Garhwal, Uttaranchal. ……. Respondents

Mr. Vinay Kumar, Advocate for the petitioner.
Mr. J.P. Joshi, Addl. Chief Standing Counsel for respondents Nos. 1 to 4.

**JUDGMENT**

**Coram: Hon'ble Rajeev Gupta, C.J.**
**Hon'ble Prafulla C. Pant, J.**

**RAJEEV GUPTA, C.J. (Oral)**

Mr. Vinay Kumar, Advocate for the petitioner.

Mr. J.P. Joshi, Addl. Chief Standing Counsel for respondents Nos. 1 to 4.

They are heard on admission.

2. Petitioner Satyender Singh Negi, claiming himself to be a member of Parent Teacher Association, has filed this writ petition for the following reliefs:

> "a) Issue a writ, order or direction in the nature of mandamus commanding the respondents no. 1 & 2 to

take cognizance of Enquiry report submitted by Block Development Education Officer.

b) Issue a writ, order or direction in the nature of mandamus commanding the respondents no. 1 & 2 to change the construction agency as per the clause of Government Order Dated 27/09/2005.

c) Issue any other order or direction which this Hon'ble High Court may deem fit and proper in the facts and circumstances the case.

d) Award cost of the petition to the petitioner."

3. In our opinion, the petitioner has no locus standi to file such a petition in his individual capacity as member of Parent Teacher Association when the parent Teacher Association has passed a contrary resolution in the matter. Though the petitioner is disputing the passing of such a resolution by the Parent Teacher Association, such a disputed question of fact cannot be resolved in a writ petition filed under Article 226 of the Constitution of India.

4. The writ petition, therefore, is liable to be dismissed and is, hereby, dismissed summarily.

5. Consequently, CLMA No. 7831 of 2006 also stands dismissed.

**(Prafulla C. Pant, J.)** 27.06.2006

**(Rajeev Gupta, C.J.)** 27.06.2006

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